IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

WEDNESDAY, THE 24TH OCTOBER 2007 / 2ND KARTHIKA 1929

Crl.Rev.Pet.No. 896 of 2000()

CRA.327/1997 of I ADDL.SESSIONS COURT, ERNAKULAM
CC.247/1996 of JUDL.MAGISTRATE OF FIRST CLASS, KOLENCHERRY

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REVN. PETITIONER:

POLY MATHEW, POOVAN HOUSE,
HOSPITAL ROAD, MUVATTUPUZHA P.O.,
MUVATTUPUZHA.

BY ADV. SRI.JOHN JOSEPH(ROY)
SRI.ROY THOMAS

RESPONDENTS:

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1. CHERIYAN P., VARGHESE,
PANACHIYIL HOUSE, PERINGOLE KARA,
KOLENCHERRY P.O.,
ERNAKULAM DIST.

2. STATE OF KERALA REPRESENTED BY
THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,
ERNAKULAM.

BY ADV. SRI.LAL GEORGE
SRI.BABU T.CHERIYAN
PUBLIC PROSECUTOR, SRI AMJAD ALI

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON 24/10/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

ORDER ON CRL.M.P.NO.4760/2000 IN CRL.R.P.NO.896/2000

DISMISSED.

SD/- K.R.UDAYABHANU, JUDGE

24/10/2007

\\TRUE COPY//

K.R.UDAYABHANU, J.

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Crl.R.P.No.896 of 2000

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Dated this the 24th day of October, 2007

O R D E R

The revision petitioner stands convicted for the offence under Section 138 of the Negotiable Instruments Act and sentenced to undergo simple imprisonment for three months and to pay a fine of Rs.21,099.90 and in default to undergo simple imprisonment for one month. It is also directed that the fine amount if realised shall be paid to the complainant as compensation under Section 357(1)(b) Cr.P.C.

2. The counsel for the revision petitioner has only sought for modification of the sentence. In the circumstances, the sentence is modified to imprisonment till the rising of the court and to pay compensation of rupees twenty-five thousand to the complainant and in default to undergo simple imprisonment for three months. The revision petitioner is granted two months time to remit the amount of compensation. He shall appear before the Judicial Magistrate of the First Class, Kolencherry, on 26/12/2007 to receive the sentence.

The criminal revision petition is disposed of as above.

K.R.UDAYABHANU,
Judge

ms

K.R.UDAYABHANU, J.

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Crl.R.P.No.896 of 2000

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O R D E R

24th October, 2007